



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
PO. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,428	07/26/2001	Masayuki Kawata	S004-4342	7386

7590 08/07/2003

ADAMS & WILKS
ATTORNEYS AND COUNSELORS AT LAW
31st FLOOR
50 BROADWAY
NEW YORK, NY 10004

EXAMINER

DUONG, THOI V

ART UNIT

PAPER NUMBER

2871

DATE MAILED: 08/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/915,428	KAWATA, MASAYUKI
	Examiner Thoi V Duong	Art Unit 2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 16 May 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 12-20 is/are allowed.
- 6) Claim(s) 1 and 4-6 is/are rejected.
- 7) Claim(s) 2,3 and 7-11 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. This office action is in response to the Amendment, Paper No. 8, filed August 26, 2002.

Accordingly, claims 1-6 were amended and new claims 7-20 were added.

Currently, claims 1-20 are pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1 and 4-6 are rejected under 35 U.S.C. 102(e) as being anticipated by White et al. (USPN 6,532,152 B1).

With respect to claims 1 and 4, as shown in Fig. 3A, White et al. discloses an arm portable information apparatus comprising:

a case 202;

a film liquid crystal device 114 disposed in the case and having a pair of opposite side edge portions; and

a pair of support members 300 connected to the case and supporting the film liquid crystal device, each of the support members having at least one groove receiving a respective one of the side edge portions of the film liquid crystal device so that the film liquid crystal device does not contact any part of the arm portable information apparatus except for the contact between the support members and the side edge portions of the film liquid crystal device,

wherein each of the support members has a plurality of leg portions supporting the respective side edge portion of the film liquid crystal device (see Fig. 3A where the support member has L-shaped cross-section).

With respect to claims 5 and 6, as shown in Fig. 3A, White et al. discloses an arm portable information apparatus comprising:

a case 202 having a connecting surface 302;
a film liquid crystal device 114 disposed in the case and having a first side edge portion and a second side edge portion disposed opposite to the first side edge portion;
a first support member 300 connected to the connecting surface of the case and supporting the first side edge portion of the film liquid crystal device; and a second support member 300 connected to the connecting surface of the case and supporting the second side edge portion of the film liquid crystal device so that the film liquid crystal device does not contact any part of the arm portable information apparatus except for

the contact between the first and second support members and the first and second side edge portions of the film liquid crystal device,

wherein the first support member has at least one groove for receiving the first side edge portion of the film liquid crystal device; and wherein the second support member has at least one groove for receiving the second side edge portion of the film liquid crystal device.

Allowable Subject Matter

4. Claims 2, 3 and 7-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: none of the prior art of record fairly suggests or shows all of the limitations as claimed. Specifically,

Re claims 2, 3 and 7-11, none of the prior art of record discloses, in combination with other limitations as claimed, that each of support members having a preselected radius of curvature comprises a pair of grooves having a preselected radius of curvature and being spaced-apart so that the film liquid crystal device does not contact the illumination panel.

The most relevant reference, USPN 6,532,152 B1 of White et al., only discloses a support member having just one groove for supporting the film liquid crystal panel; this support member and groove do not have a preselected radius of curvature.

5. Claims 12-20 are allowed.

The following is an examiner's statement of reasons for allowance: none of the prior art of record fairly suggests or shows all of the limitations as claimed. Specifically,

Re claim 12, none of the prior art of record discloses, in combination with other limitations as claimed, the support members having a first pair of confronting grooves each receiving respective ones of the side edge portions of the polarizing plate and a second pair of confronting grooves spaced apart from the first pair of grooves and receiving respective ones of the side edge portions of the film liquid crystal device so that the film liquid crystal device does not contact the polarizing plate and does not contact any part of the arm portable information apparatus except for the contact between the support members and the side edge portions of the film liquid crystal device.

The most relevant references, USPN 6,532,152 B1 of White et al. (US'152) and JP 2000-293117 (JP'117), fail to disclose or suggest such supporting members. The US'152 only discloses a supporting member having one groove for supporting the film liquid crystal device as shown in Fig. 3A. Meanwhile, the JP'117 discloses a supporting member 301b having confronting grooves for holding a film liquid crystal device 302 and a polarizing plate 5 attached to the film liquid crystal as shown in Fig. 3.

Re claim 17, none of the prior art of record discloses, in combination with other limitations as claimed, a first pair of support members connected to the case and supporting the film liquid crystal device so that the film liquid crystal device does not contact any part of the arm portable information apparatus except for the first pair of support members; a second pair of support members connected to the case and

supporting the illumination panel; and a pair of spacing members disposed between the film liquid crystal device and the illumination panel and maintaining the film liquid crystal device and the illumination panel in spaced-apart relation one another.

The most relevant references, USPN 6,532,152 B1 of White et al. (US'152) and USPN 6,292,239 B1 of Nagamura et al. (US'239), fail to disclose or suggest such supporting and spacing members. The US'152 only discloses a supporting member having one groove for supporting the film liquid crystal device as shown in Fig. 3A. Meanwhile, the US'239 just discloses a spacing member 12a for maintaining the film liquid crystal device and the illumination panel in spaced-apart relation one another as shown in Fig. 7.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

Art Unit: 2871

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thoi V. Duong whose telephone number is (703) 308-3171. The examiner can normally be reached on Monday-Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim, can be reached at (703) 305-3492.

Thoi Duong

07/18/2003



ROBERT M. KIM
SUPERVISOR PATENT EXAMINER
TECHNOLOGY CENTER 2800